

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KYLE ROHRIG,

Plaintiff,

v.

UNITED STATES POST OFFICE,

Defendant.

CASE NO. C19-6113 BHS

ORDER DISMISSING
COMPLAINT WITHOUT
PREJUDICE AND REVOKING *IN*
FORMA PAUPERIS STATUS

This matter comes before the Court on Plaintiff Kyle Rohrig's ("Rohrig") response to the Court's order to show cause. Dkt. 10.

On November 21, 2019, Rohrig filed a complaint against Defendant United States Post Office ("Defendant") alleging discrimination in employment. Dkt. 1-1. On April 6, 2020, the Court denied Rohrig's motion for default because he had failed to show that he properly served the Defendant. Dkt. 7. On June 8, 2020, the Court ordered Rohrig to show cause why the case should not be dismissed without prejudice for failure to properly serve Defendant within 120 days of filing the complaint. Dkt. 8 (citing Fed. R. Civ. P. 4(m)). On June 17, 2020, Rohrig responded and asserted that he mailed his

1 complaint to the Defendant and sent by certified mail a copy of an amended complaint to
2 the local United States Attorney. Dkt. 10 at 2. Although Rohrig acknowledges that
3 Defendant is an agency of the United States, he has failed to comply with the special
4 rules of serving such agency in numerous ways, including the undisputed fact that he
5 failed to even attempt to serve the United States Attorney in Washington, D.C. *See* Fed.
6 R. Civ. P 4(i)(1)(B). Under these facts, the Court concludes that Rohrig has failed to
7 properly show cause that he has even attempted to properly serve Defendant as set forth
8 in the Federal Rules of Civil Procedure. Therefore, the Court **DISMISSES** Rohrig's
9 complaint without prejudice and **REVOKES** Rohrig's *in forma pauperis* status for
10 purposes of appeal. The Clerk shall close this case.

11 **IT IS SO ORDERED.**

12 Dated this 18th day of June, 2020.

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15 BENJAMIN H. SETTLE
16 United States District Judge
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